

# Exhibit D

STATE OF NEW YORK  
SUPREME COURT : COUNTY OF NIAGARA

---

KAITLYNN GANNON,

Plaintiff,

**SUBPOENA FOR DOCUMENTS**

vs.

Index No: E183240/2024

SHERIFF MICHAEL J. FELICETTI  
NIAGARA COUNTY SHERIFF'S OFFICE, and  
JOHN AND JANE DOE  
COUNTY OF NIAGARA,

Defendants

---

TO: Tess Harmon a/k/a  
Tess C. Stewart  
1031 Crest Drive  
Jefferson City, Tennessee 37760-3639

GREETINGS:

**WE COMMAND**, that all business and excuses being laid aside, you produce to the undersigned via mail, overnight delivery, email or in person for inspection and photocopying **on or before May 27, 2024** the following documents:

1. All communications you have had with anybody concerning Kaitlynn Gannon;
2. All documents you received from the Niagara County Sherriff's and any documents you received from any defendant named herein;
3. All communications you have had with anybody concerning documents you received from the Niagara County Sherriff's Office relating to Kaitlynn Gannon;

4. All communications you received from anyone concerning: (a) Kaitlynn Gannon; (b) the Facebook page “the Truth About the Ugly Truth Podcast”; and (c) the Cease and Desist Email that the undersigned sent to you.
5. All documents you have ever provided to the Facebook page known as “the Truth About the Ugly Truth Podcast.”
6. The names and addresses of each and every person you provided information to, as well as the information you provided to each such person, concerning Kaitlynn Gannon, including but not limited to, documents your received from any Defendant named herein.
7. The names and addresses of all persons you involved with the Facebook page known as “the Truth About the Ugly Truth Podcast.”
8. Copies of all Facebook posts you have made, either in your name or using an anonymous name or post, concerning Kaitlynn Gannon.


If you fail to comply, you will be deemed guilty of contempt of court, and liable to pay all losses or damages sustained thereby by the parties aggrieved and forfeit FIFTY DOLLARS in addition thereto.

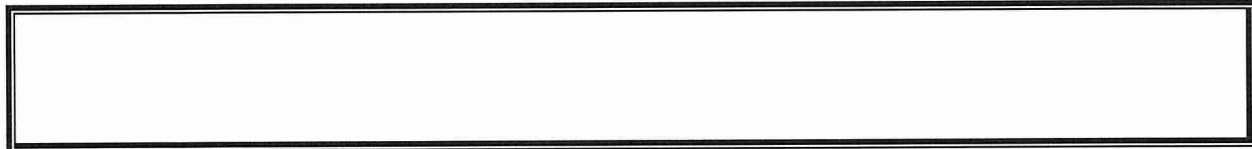
The information sought herein is relevant and necessary to the prosecution of this action because it relates to, among other things: a) the fact that Defendants herein released privileged information to you, the witness, in contravention of Civil Rights Law § 50-b; b) the witness then further disseminated the privileged information to others; c) the privileged information was uploaded, in part, to Facebook by individuals known to the witness; or by the witness herself for the world to see; d) some of the privileged information was also provide to other third parties with

whom Plaintiff has existing business relations; e) Defendants' dissemination of the privileged information has caused harm and damages to Plaintiff and has placed other survivors of sexual assault at risk for the same unauthorized disclosure by Defendants.

Dated: Buffalo, New York  
April 29, 2024

**LIPSITZ GREEN SCIME CAMBRIA LLP**

By:   
Joseph J. Manna, Esq.  
Attorneys for Plaintiff  
42 Delaware Avenue, Suite 120  
Buffalo, New York 14202  
(716) 849-1333



## AFFIDAVIT OF SERVICE

State of New York  
Court: SUPREME

County of NIAGARA

Index No. E183240/2024

KAITLYN GANNON

Plaintiff(s)/Petitioner(s)

vs

SHERIFF MICHAEL J. FELICETTI

et al

Defendant(s) Respondent(s)

STATE OF TENNESSEE: COUNTY OF SULLIVAN ss:

The undersigned being duly sworn, deposes and says: that deponent is not a party to this action, is over 18 years of age and resides in the State of Tennessee.

That on MAY 13TH, 2024, at 4:23PM, at 1031 CREST DRIVE JEFFERSON CITY TN

deponent served the within SUBPOENA FOR DOCUMENTS  
on which were set forth the Index No. herein, and the date of filing.

ON TESS HARMON a/k/a TESS C. STEWART

☒ **Individual** By delivering a true copy thereof to said recipient personally: deponent knew the person so served to be the individual described therein.

☐ **Responsible Person** By delivering to and leaving with \_\_\_\_\_, a true copy thereof, a person of suitable age and discretion. Said premises being the defendant/respondent's \_\_\_\_\_ dwelling place \_\_\_\_\_ place of business \_\_\_\_\_ last known address within State.

☐ **Mail** A copy thereof was deposited in a postpaid, properly addressed envelope, marked "Personal & Confidential", in a depository maintained by the U.S.P.S and mailed to the above address on \_\_\_\_\_ 2024.

☐ **Corporation** by delivering to and leaving with \_\_\_\_\_, said individual to be \_\_\_\_\_.

☐ **LLC/LLP** who specifically stated he/she was authorized to accept service on behalf of the Corporation/Government Agency/Entity.

☐ **Affixing To Door** By affixing a true copy thereof to the door, being the defendant/respondent's \_\_\_\_\_ dwelling place \_\_\_\_\_ place of business \_\_\_\_\_ last known address within the State.

☒ **Previous Attempts** Deponent previously attempted to serve the above named defendant/respondent on;

at 1031 CREST DR on 5/8/24, 3:30PM.

at \_\_\_\_\_ on 5/10/24, 2:19PM.

at \_\_\_\_\_ on \_\_\_\_\_, \_\_\_\_\_ M.

at \_\_\_\_\_ on \_\_\_\_\_, \_\_\_\_\_ M.

**Description** 30 years of age 174 lbs. 5 ft 6 in. \_\_\_\_\_ male ☒ female BLACK hair WHITE skin.

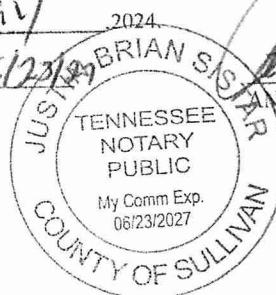
\_\_\_\_\_ other.

☒ **Military Service**

To the best knowledge, information and belief the said defendant at the time of service was not engaged in military service of the United States.

Sworn to before me this 16 day of, MAY, 2024.

[Signature]  
Notary Public or Commissioner of Deeds.



ANTHONY BLIZZARD

CIRCUIT COURT JEFFERSON COUNTY DANDRIDGE, TN.	<h1 style="margin: 0;">SUBPOENA</h1> <p style="margin: 0;">page 1 of 1</p>	Case Number E183240/2024 SUPREME COURT NIAGARA, NY
<u>KAITLYNN GANNON</u> vs. <u>SHERIFF MICHAEL FELKICETTI, NIAGARA COUNTY SHERIFF'S OFFICE AND JOHN &amp; JANE DOE COUNTY OF NIAGARA</u>		

**To Any Lawful Officer of Said County:**

Under penalty prescribed by law, you are commanded to summon:

TESS HARMON, a/k/a TESS C STEWART  
1031 CREST DRIVE  
JEFFERSON CITY, TN. 37760-3639

To produce to the undersigned via mail, overnight delivery or in person for inspection and photocopying on Or before MAY 27, 2024 the following documents:

- Duces Tecum:***
1. All communications you have had with anybody concerning Kaitlynn Gannon
  2. All documents you received from the Niagara County Sheriff's and any documents you received from any defendant named herein\
  3. All communications you have had with anybody concerning documents you received from the Niagara County Sheriff's office relating to Kaitlynn Gannon
  4. All communications you received from anyone concerning: (a)Kaitlynn Gannon, (b)the face book page "the Truth About the Ugly Truth Podcast".
  5. All documents you have ever provided to the face book page known as "The Truth About the Ugly Truth Podcast".
  - 6.The name and address or each and every person you provided information to as well as the information you provided to such person concerning Kaitlynn Gannon including but not limited to documents you received from any defendant named herein.
  7. The names and addresses of all persons you involved with the face book page known as "The Truth About the Ugly Truth Podcast".
  8. Copies of all face book posts you have made either in your name or using anonymous name or post concerning Kaitlynn Gannon.

**IF YOU FAIL TO COMPLY, YOU WILL BE DEEMED GUILTY OF CONTEMPT OF COURT, AND LIABLE TO PAY ALL LOSSES OR DAMAGES SUSTAINED THEREBY THE PARTIES AGGRIEVED AND FORFEIT FIFTY DOLLARS IN ADDITION THERETO.**

The information sought herein is relevant and necessary to the prosecution of this action because it relates to among other things, (a)the fact the defendant herein released privileged information to you, the witness in contravention of Civil Rights Law 50-b; b) the witness then further disseminated the privileged information to others; c) the privileged information was uploaded in part to face book by individuals known to the witness or by the witness herself for the world to see d) some of the privileged information was also provided to other third parties with whom plaintiff has existing business relations e) defendants' dissemination of the privileged information has caused harm



and damage to plaintiff and has placed other survivors of sexual assault at risk for the same unauthorized disclosure by defendants.

LIPSITZ GREEN SCIME CAMBRIA LLP  
BY: JOSEPH J. MANNA, ESQ  
ATTORNE FOR PLAINTIFF  
42 DELAWARE AVENUE, SUITE 120  
BUFFALO, NEW YORK 14202  
(716) 849-1333

Issued: APRIL 30, 2024

*TH*

Clerk / Deputy Clerk – General Sessions Court

**OFFICER'S RETURN:** Came hand this date and executed by:

- Delivering the within subpoena to the witness named herein \_\_\_\_\_
- Unable to serve because \_\_\_\_\_

Date: \_\_\_\_\_

By: \_\_\_\_\_  
Officer, Title

**ATTORNEY'S RETURN OF SERVICE:**

Attorney's Name, Address and Telephone Number

Designee's Name, Address and Telephone Number

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I certify that on the date indicated below I served a copy of this subpoena on the witness \_\_\_\_\_, by \_\_\_\_\_.

Date: \_\_\_\_\_

\_\_\_\_\_  
Signature of Attorney/Designee

Sworn to and subscribed before me on \_\_\_\_\_ Notary Public/Deputy Clerk \_\_\_\_\_  
Commission Expires: \_\_\_\_\_

STATE OF NEW YORK  
SUPREME COURT : COUNTY OF NIAGARA

---

KAITLYNN GANNON,

Plaintiff,

**SUBPOENA FOR DOCUMENTS**

vs.

Index No: E183240/2024

SHERIFF MICHAEL J. FELICETTI  
NIAGARA COUNTY SHERIFF'S OFFICE, and  
JOHN AND JANE DOE  
COUNTY OF NIAGARA,

Defendants

---

TO: Tess Harmon a/k/a  
Tess C. Stewart  
1031 Crest Drive  
Jefferson City, Tennessee 37760-3639

**GREETINGS:**

**WE COMMAND**, that all business and excuses being laid aside, you produce to the undersigned via mail, overnight delivery, email or in person for inspection and photocopying **on or before May 27, 2024** the following documents:

1. All communications you have had with anybody concerning Kaitlynn Gannon;
2. All documents you received from the Niagara County Sherriff's and any documents you received from any defendant named herein;
3. All communications you have had with anybody concerning documents you received from the Niagara County Sherriff's Office relating to Kaitlynn Gannon;



4. All communications you received from anyone concerning: (a) Kaitlynn Gannon; (b) the Facebook page “the Truth About the Ugly Truth Podcast”; and (c) the Cease and Desist Email that the undersigned sent to you.
5. All documents you have ever provided to the Facebook page known as “the Truth About the Ugly Truth Podcast.”
6. The names and addresses of each and every person you provided information to, as well as the information you provided to each such person, concerning Kaitlynn Gannon, including but not limited to, documents your received from any Defendant named herein.
7. The names and addresses of all persons you involved with the Facebook page known as “the Truth About the Ugly Truth Podcast.”
8. Copies of all Facebook posts you have made, either in your name or using an anonymous name or post, concerning Kaitlynn Gannon.

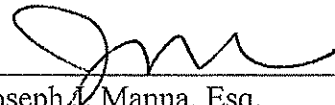
If you fail to comply, you will be deemed guilty of contempt of court, and liable to pay all losses or damages sustained thereby by the parties aggrieved and forfeit FIFTY DOLLARS in addition thereto.

The information sought herein is relevant and necessary to the prosecution of this action because it relates to, among other things: a) the fact that Defendants herein released privileged information to you, the witness, in contravention of Civil Rights Law § 50-b; b) the witness then further disseminated the privileged information to others; c) the privileged information was uploaded, in part, to Facebook by individuals known to the witness; or by the witness herself for the world to see; d) some of the privileged information was also provide to other third parties with

whom Plaintiff has existing business relations; e) Defendants' dissemination of the privileged information has caused harm and damages to Plaintiff and has placed other survivors of sexual assault at risk for the same unauthorized disclosure by Defendants.

Dated: Buffalo, New York  
April 29, 2024

**LIPSITZ GREEN SCIME CAMBRIA LLP**

By:   
Joseph J. Manna, Esq.  
Attorneys for Plaintiff  
42 Delaware Avenue, Suite 120  
Buffalo, New York 14202  
(716) 849-1333

